

ORAL ARGUMENT NOT YET SCHEDULED**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

CITY OF BOSTON
DELEGATION,

Petitioner,

v.

No. 16-1081

FEDERAL ENERGY
REGULATORY COMMISSION

Respondent.

**PETITIONER'S PROVISIONAL STATEMENT
OF ISSUES TO BE RAISED ON REVIEW**

Pursuant to this Court's Order of March 3, 2016, the Petitioner, City of Boston Delegation ("Boston"), hereby submits this provisional statement of the issues to be raised on review:

1. Whether the Federal Energy Regulatory Commission (the "Commission") acted in contravention of the Natural Gas Act, 15 U.S.C. § 717 *et seq.* ("NGA"), by making arbitrary, capacious and factually unsupported findings to justify its rejection of reasonable alternatives to Algonquin's proposed route for the section of pipeline that will run through West Roxbury, Massachusetts (the "West Roxbury Lateral" or "WRL")

2. Whether the Commission acted in contravention of the NGA by making arbitrary, capacious and factually unsupported findings to justify its rejection of a reasonable alternative for the location of a meter station within West Roxbury, Massachusetts (the “West Roxbury Meter Station”).

3. Whether the Commission acted in contravention of the NGA and the Commission’s own stated policy by granting Algonquin a certificate of public convenience to construct the WRL and the West Roxbury Meter Station without considering the effects of those portions of the project on all affected interests of the surrounding community of West Roxbury, Massachusetts, including public safety.

Respectfully submitted,

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Dated: April 4, 2016

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2016, I electronically filed the foregoing Petitioner's Provisional Certificate as to Parties, Rulings and Related Cases with the Clerk of the Court for the U.S. Court of Appeals for the District of Columbia Circuit by using the appellate CM/ECF system, and served copies of the foregoing via Court's CM/ECF system on all ECF-registered counsel.

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